

REMARKS

Claims 1-2, 4-6, 15-16, 18-19, 21-25, 27, 29-34, 36-37 and 39-42 are pending in the present application. Claims 1, 2, 4-6, 15-16, 18-19, 21-22, 24, 27, 29, 31-34, and 39-43 are amended. Claims 3, 7-14, 17, 20, 26, 28, 35, and 38 have been previously cancelled. Claims 1, 5, 15, 16, 18, 19, 21, and 22 are the independent claims.

Claim Rejections – 35 U.S.C. § 101

Claims 1-2, 4-6 and 39-42 are rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Reconsideration of these rejections is respectfully requested for at least the following reasons.

The Examiner has rejected the aforementioned claims under Section 101 on the basis that the claim recites, *inter alia*, “a computer readable storage medium having a computer readable program stored thereon that is...” Contrary to the position of the Examiner, the various rejected claims recite a “recording medium”, not a computer readable storage medium. However, to advance prosecution, Applicants’ have amended each of the rejected claims, including dependent claim 43 (not rejected), to recite “an optical disc”. Applicants’ submit that each of these claims, even when given the broadest interpretation, would not be interpreted to include non-statutory subject matter.

Claim Rejections under 35 U.S.C. § 102

Claims 1-2, 4-6, 15-16, 18-19, 21-25, 27, 29-34, 36-37, and 39-43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US 5,691,972 (Tsuga).

Reconsideration of these rejections is also respectfully requested as they may apply to the now amended claims.

Claim 1 has been amended to recite, among other things, that the optical disc includes a data structure having a navigation information area “wherein the playlist includes playitems specifying time based playing intervals in clip files of the multi-path video data, each playitem specifies the playing interval based on IN-time information indicating IN-point of the playing interval and OUT-time information indicating OUT-point of the playing interval”. Similar language has also been added to independent claims 5, 15, 16, 18, 19, 21, and 22.

Applicants' submit that Tsuga fails to teach or otherwise suggest at least these aspects of the independent claims. For example, the playlist recited in claim 1 includes playitems specifying time based playing intervals in the clip files of the multi-path video data. This feature is discussed at Paragraph [0036] of the application as filed where it states:

The PLAYLIST directory includes or more playlist files. The concept of a playlist has been introduced to promote ease of editing/assembling clips for playback. A playlist file is a collection of playing intervals in the clips. Each playing interval is referred to as a playitem. The playlist file, among other things, identifies each playitem forming the playlist, and each playitem, among other things, is a pair of IN-point and OUT-point that point the positions on the time axis of the clip [e.g., presentation time stamps on an ATC or STC basis]. Express in other way the playlist file identifies playitems, each playitem points to a clip or portion thereof and identifies the clip information associated with the clip. The clip information is used, among other things, to map the playitems to the clip of source packets. As such, Applicants' submit that Tsuga fails to teach or otherwise suggest at least this aspect of the independent claims.

In contrast, the PGC information of Tsuga does not specify time based playing intervals in the VOBs. Each playitem, as recited in claim 1, specifies a playing interval

based on IN-time information indicating an IN-point of the playing interval and OUT-time information indicating an OUT-point of the playing interval. Thus, Tsuga does not teach, either expressly or inherently, at least these features of claim 1 nor the other independent claims, as amended.

Applicants' also submit that each of the other rejected claims represent allowable subject matter as dependent on an independent claim having at least these features.

While Applicants have not addressed each and every application of Tsuga, et al. by the Examiner, this should not be considered as a waiver of Applicants' right to traverse or otherwise challenge the Examiner's use of the reference in the future, as appropriate.

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CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each pending claim in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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